

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

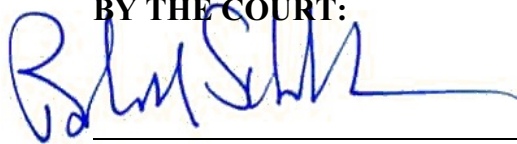
<b>PAUL FRY,</b>	:	
<b>Plaintiff,</b>	:	<b>CIVIL ACTION</b>
	:	
<b>v.</b>	:	
	:	
<b>OFFICER W. CLAY SMOKER and</b>	:	
<b>MANOR TOWNSHIP,</b>	:	<b>No. 11-3015</b>
<b>Defendants.</b>	:	

**ORDER**

**AND NOW**, this 9<sup>th</sup> day of **May, 2012**, upon consideration of the parties' cross-motions for summary judgment and the responses thereto, and for the reasons stated in the Court's Memorandum dated May 9, 2012, it is hereby **ORDERED** that the motions (Documents No. 12, 15) are **GRANTED in part** and **DENIED in part**, as follows:

1. Judgment is **GRANTED** in favor of Defendant Manor Township and against Plaintiff on Count II.
2. The motions are **DENIED** with respect to Count I.

**BY THE COURT:**



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**Berle M. Schiller, J.**